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SUBJECT: CHEVRON CONTAINERS OF CLEAN-UP WASTE BLOCKED BY
GDRC AT BOMA

Classified By: EconOff Christopher T. Corkey for reasons 1.4 b/d.

¶1. (C) SUMMARY. The GDRC Ministry of Trade has blocked the export of 50 twenty-foot containers of Chevron,s petroleum exploration waste at the port of Boma. Chevron excavated a 20-year-old waste disposal site 24 miles from Boma in Bas-Congo province, and filled the containers with waste to be re-processed in Holland. Chevron says it obtained permission from both the Ministry of the Environment and the Ministry of Hydrocarbons, but the Ministry of Trade is now preventing Chevron from loading the containers for shipment. One of the containers may now be leaking, and any further delay increases the chance of a negative environmental impact. END SUMMARY.

¶2. (C) Between 1986 and 1989, the GDRC allowed Chevron to bury waste from its petroleum exploration activities in Bas-Congo province, 188 miles from Kinshasa. Chevron sold its off-shore concessions to French-owned Perenco in 2004, but re-entered the market with its 2005 purchase of Unocal. Chevron, in 2006, initiated a clean-up of the waste burial site 24 miles from Boma. (Note: The Basel Convention, designed to reduce the movement of hazardous waste between countries and specifically to reduce the transfer of waste to less developed countries, has created incentives to execute this type of clean-up. End note.) Chevron could not delay the excavation or the transfer of containers to Boma because of the upcoming rainy season, which would make both excavation and transportation impossible. The waste is still in twenty-foot sealed containers at the port of Boma as of September 4, awaiting GDRC approval for export.

¶3. (C) Resident Chevron representative Koni Mukoka told EconOff that the GDRC Ministry of the Environment granted the initial permission for the excavation of waste near Boma. According to Mukoka, the Ministry of Hydrocarbons attempted to halt the excavation, but then granted permission to excavate and export the waste after visiting the site and inspecting the waste. Chevron claims to have tested the waste and found no radioactivity or dangerous levels of toxicity. According to the representative, the containers were sealed and transferred to the port of Boma for eventual transport to their intended destination, a processing plant in Holland. The Ministry of Trade has now blocked the export of the containers, claiming that Chevron does not have permission from the DRC to export "merchandise" to the ROC. (Note: The containers would be transported by small container ships, able to access Boma, to larger ships at Pointe Noire, ROC. End note.)

14. (C) The Chevron representative told us the DRC Ministry of Trade could require permission to export to the ROC only if these shipments were, in fact, "merchandise." Because the containers hold only waste, Mukoka claims the Ministry is really seeking a financial gain from Chevron for the clean-up. If the matter is not resolved, Mukoka said Chevron will leave the containers in Boma and tell the Ministry that it is responsible for any damages. Although Chevron remains optimistic that the containers will be allowed to leave, Mukoka said he has received reports that one of the containers has begun to leak.

15. (C) COMMENT: Chevron,s current investment in the DRC is minimal, with no on-shore concessions and only 17% of the off-shore concessions (33% of the off-shore concessions is owned by Japan-based Teikoku, and 50% by France-based Perenco). Chevron,s presence is important, however, because of the natural gas pipeline (not yet functional) from Cabinda to the rest of Angola, which crosses DRC territorial waters. Post expects Chevron will eventually be allowed to export the waste, but the spectre of leaking containers raises environmental concerns. Post will continue to monitor the situation; hopefully Chevron will get the containers out before the rainy season begins in September/October. END COMMENT.
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